

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:13-CV-187-RLV**

PATRICIA A. RHODES,

Plaintiff,

v.

**CAROLYN W. COLVIN, ACTING
COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

THIS MATTER IS BEFORE THE COURT on the Plaintiff's Motion for Attorney's Fees Pursuant to 42 U.S.C. § 406(b). [Doc. No. 20]. In her Motion, Plaintiff shows that the Commissioner of Social Security should pay the sum of \$9,500.00 for attorney fees, representing less than 25% of Plaintiff's accrued back benefits, and that such sum should be paid from Plaintiff's back benefits pursuant to § 406(b) of the Social Security Act. The Commissioner, through counsel, consents to the Plaintiff's request. [Doc. No. 21].

Having reviewed the request and the record as a whole, the Court hereby **GRANTS** the Plaintiff's Motion. [Doc. No. 20]. It is, therefore, **ORDERED** that the Commissioner shall pay to Plaintiff's counsel the sum of \$9,500.00 from Plaintiff's back benefits. Plaintiff's counsel is further **ORDERED** to reimburse Plaintiff \$3,006.25, the amount representing the fee previously rendered under the Equal Access to Justice Act. *See* [Doc. No. 19]; *see also* 28 U.S.C. § 2412(d).

SO ORDERED.

Signed: March 8, 2016



Richard L. Voorhees
United States District Judge

